

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

10-mj-73 JJK

(01) CESAR ERNESTO RIVAS
(02) PHONESY SYDATHONG
(03) BRANDON SANCHEZ GONZALEZ

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 27, 2010 in Ramsey County, in the State and District of Minnesota defendant(s) Conspired with each other and others to distribute approximately five (5) pounds of methamphetamine

in violation of Title 21 United States Code, Section(s) 846.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

March 1, 2010

Date

The Honorable Jeffrey J. Keyes
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer



Signature of Complainant

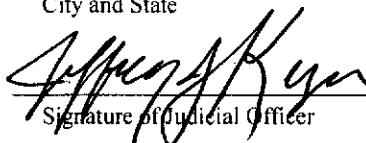
Andrew J. Mento, Jr.

FBI

at

St. Paul, MN

City and State



Signature of Judicial Officer

SCANNED

MAR 01 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF SA ANDREW J. MENTO, JR.
COUNTY OF RAMSEY)

1. Your Affiant is a Special Agent with the Federal Bureau of Investigation, Minneapolis Division, and has been so employed for approximately 18 years. Your Affiant is currently involved in the investigation of violent crime and drug violations. The information in this affidavit is based upon confidential reliable informant information, physical and electronic surveillance, undercover operations and the analysis of records. Also, the information in this affidavit is based upon investigation personally conducted by your Affiant, as well as information obtained by your Affiant from other Special Agents of the FBI, as well as other law enforcement officers.

2. In 2010, a cooperating defendant (CD) negotiated a methamphetamine deal with Phonesy SYDATHONG. Many of these phone calls were recorded. SYDATHONG agreed to supply the CD with approximately five (5) pounds of methamphetamine.

3. On February 26, 2010, the CD and an undercover police officer (UC) met Cesar Ernesto RIVAS and SYDATHONG at a restaurant in Bloomington, Minnesota. During the meeting, the CD and the UC learned that RIVAS was the source of supply for the methamphetamine. RIVAS agreed to sell five (5) pounds of methamphetamine to the UC for \$90,000. Following the meeting, RIVAS and SYDATHONG walked out of the restaurant and entered the

CD's vehicle. Once in the vehicle, the UC showed and handed the \$90,000 to RIVAS. This was recorded. RIVAS counted the money and gave it back to the UC. Later in the day, RIVAS told the CD that the shipment of methamphetamine was to arrive later in the day and that the deal would be done the following day.

4. On February 27, 2010, the CD met with RIVAS and SYDATHONG. All three drove in a vehicle to a Wendy's parking lot in St. Paul to meet the UC. Once in the parking lot, the UC and RIVAS left the Wendy's and went to an apartment in St. Paul. At the apartment, RIVAS again counted the money. Once the money was counted, RIVAS and the UC went back to the Wendy's and met up with the CD and SYDATHONG. During that time, a 2008 black Saturn, with a California license plate, arrived in the parking lot. The driver, later identified as Brandon Sanchez GONZALEZ, was the courier for the methamphetamine. At that time, RIVAS and GONZALEZ left in the Saturn while SYDATHONG and the CD left in the CD's vehicle. The UC also left the area. All three vehicles proceeded to the apartment in St. Paul.


5. Once at the apartment, the Saturn pulled into the garage. RIVAS and GONZALEZ exited the vehicle and went into the apartment with RIVAS carrying a plastic shopping bag containing the methamphetamine. SYDATHONG, the UC and the CD also entered the apartment. Once inside the apartment, RIVAS handed the bag with the methamphetamine to the UC. All parties were placed under arrest.

6. GONZALEZ provided a post-Miranda statement. GONZALEZ admitted to transporting the methamphetamine from San Diego to Minnesota and stated that he was supposed to be paid \$1000. GONZALEZ stated that the methamphetamine was hidden in the dash board of the vehicle.

7. SYDATHONG provided a post-Miranda statement. SYDATHONG admitted to setting up the five (5) pound methamphetamine deal. He stated that RIVAS was the source of the methamphetamine and that SYDATHONG was suppose to received \$5,000 for his participation in the methamphetamine deal.

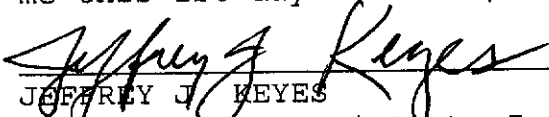
8. The methamphetamine was tested and field tested positive for methamphetamine.

Further your Affiant sayeth not.



ANDREW J. MENTO, JR.
Special Agent, FBI

SUBSCRIBED and SWORN to before
me this 1st day of March, 2010.



JEFFREY J. REYES
United States Magistrate Judge